

FARMINGTON CITY COUNCIL MEETING

February 21, 2017

WORK SESSION

Present: Mayor Jim Talbot; Council Members Doug Anderson, Cory Ritz, John Bilton, Brigham Mellor, Brett Anderson; Assistant City Manager Keith Johnson, City Development Director David Petersen, City Planner Eric Anderson, City Recorder Holly Gadd, and Recording Secretary Tarra McFadden

Excused: City Manager Dave Millheim

Brett Anderson arrived at 6:30 pm.

Mayor Talbot provided an invocation and called the meeting to order at 6:01 p.m.

Financial Review of 2nd Quarter (Oct.-Dec. 2016) Revenues and Expenditure Totals

Assistant City Manager **Keith Johnson** briefly presented the Financial Review of 2nd Quarter Revenues and Expenditures as included in the packet. **Keith Johnson** noted that the State Auditor requires City staff to provide revenue and expenditure information quarterly.

Financial Update with Ten Year Forecast Study

Keith Johnson provided updated forecast information to the Mayor and Council following the 2016 audit. Johnson noted that since 2011 the City has experienced a 42% growth in revenues. During 2016, \$450,000 of the revenue increase was from one-time economic development money and transfers in. Licenses and permits brought in more than a million dollars in 2016; half of that is budgeted for 2017. These increases will not be long term.

Sales tax has increased 12.5% over 2016 and does not include tax payments from Mercedes Benz, to be received quarterly, with the first payment due late February. Council Member **Brigham Mellor** asked about sales tax collected on Amazon purchases, but Keith Johnson said that estimates to date have been imprecise. Overall, sales tax has been increasing since 2010 relative to City growth and development.

Keith Johnson further informed those present that expenditures have increased 57% and if the trend continues, expenditures would outpace revenue. Farmington City has a healthy amount in the General Fund (approximately \$10 Million) and economic development expenditures will decrease once the City has met its obligation related to the Cabela's incentive package. The largest departmental expenditure increases come from Engineering, as the City now employs a full-time engineer, and the Fire Department which plans to hire 3 additional staff.

Mayor Jim Talbot offered that in discussions with neighboring city mayors Public Safety accounts for 40% of the expenditures. **Keith Johnson** stated that this was in line with Farmington's budget as approximately 25% of expenditures are from the Police Department and another 10% from the Fire Department.

Keith Johnson suggested that the Council should be aware that budgets should be kept lean as revenues will stable and level off. He further remarked that there are major projects that the City will need to complete soon including: 650 West Park, Rebuilding of 650 West Street, Development of Old Farm, Business Park Infrastructure, West Davis Corridor, Station Parkway, and major water projects. Additionally, the City will have increased costs related to street maintenance, police personnel, park maintenance and equipment needs as the City continues to grow. The Public Works department has indicated a need for a new 8 wheel, 4WD snow plow to better serve the hillside.

As the forecasted budget model is updated with actuals from 2016, deficits are expected in the next year which will be covered by the General Fund balance. The model further demonstrates that at continued growth revenues and expenditures will catch up by the year 2022. The forecast does not include increased revenue from future City development.

Mayor Jim Talbot said that he met with UDOT and Stuart Adams and encouraged UDOT to complete the record of decision process to allow Farmington to make planning decisions which may be impacted by the West Davis Corridor. **Mayor Jim Talbot** commended **Keith Johnson** and City staff for providing careful financial planning that helps the Council be good stewards of City funds.

Council member **John Bilton** asked whether the financial forecast model used is still current and accurate or if other models should be evaluated. **Keith Johnson** stated that the model gets “fuzzier” the further from the present one forecasts, but it is still a good model. Another model/forecast study may need to be considered in few years.

Discussion RE: General Plan Amendment Request for Hughes Property

Mayor Jim Talbot explained that General Plan Amendment Request for Hughes Property was continued from the February 7th meeting as it was felt that council members residing closest to the property in question should be present for the decision.

David Peterson indicated that the same staff report is once again included with the packet and it outlines three courses of possible action. The first is to follow the recommendation of the Planning Commission and deny the General Plan amendment request; second, table action regarding the amendment request and third, amend the general plan changing the designation from DR to RRD.

Eric Anderson noted that the original application was for a rezone and general plan amendment which was tabled several times by the Planning Commission. Once the General Plan amendment was considered there was one dissenting vote from the Planning Commission. That member felt that the general plan amendment made sense and the owners should be given the chance to develop the property. Most Planning Commission members felt that due to other mitigating factors the amendment should be denied regardless of the location of the 4218 line.

David Peterson provided further information about the tabling option. By tabling the amendment from DR to RD the applicant would have time to do a study regarding the wetlands, obtain a CLOMR (Conditional Letter of Map Revision) from FEMA related to the flood plain,

and ensure that DR line provides an appropriate buffer between Farmington's built environment, the Farmington Bay Waterfowl Management Area and the Great Salt Lake.

Mayor Jim Talbot referenced the outstanding record of decision by UDOT regarding the West Davis Corridor and its impact on the proposed development. He wanted clarification around what next steps would be for the property owners if the general plan amendment was tabled.

David Peterson clarified that if the amendment was denied, the applicant could resubmit with updates at any time.

Doug Anderson expressed concerns regarding the proposed housing density and suggested that the applicant apply with a redesign once the location of the West Davis Corridor is known. **Brett Anderson** offered that it was artificial to look only at the 4218 line as the determining factor and would like to see further analysis of the area and how it would be impacted by West Davis Corridor. **Mayor Jim Talbot** also wondered how the West Davis Corridor will impact the ground with drainage and storm water runoff. **Brigham Mellor** suggested that the clarification of the location of the 4218 line does not eliminate items a-h outlined in the staff report regarding the area and that it may be best to wait until plans for the West Davis Corridor are firm and the Planning Commission can vet the DR. **Cory Ritz** agreed that there may be a de facto DR line established once the West Davis Corridor is in place and that it would be best to affirm the Planning Commission's decision.

Discussion RE: Candland Olsen Plat Amendment Request Public Hearing

David Peterson noted that in consultation with the City's attorney, Council Member **Brett Anderson** should recuse himself from the vote on this matter as he is a lot owner in the development. He provided some background information about the City's dealing with the HOA on a prior TDR explaining that the swap was made to allow for a home to be built on a lot previously zoned as open space with the PUD's open space requirement being moved to the regional park. The applicant is citing this information as a reason to allow for a new TDR.

David Peterson explained that to amend a subdivision plat the applicant can petition the City Council with the support of all 35 property owners which negates the need for a public hearing. Alternatively, the petitioner can go through the notice process and impacted property owners are given a 10-day protest period; if at least one protest is received, the City is required to hold a public hearing. On the matter of the Candland Olsen property 12 protests were received from within the subdivision; five of eight of these property owners reside adjacent to the open space in question and affirm that they paid a premium in the costs of their lot to abut the open space. Five citizens outside of the subdivision boundaries also filed protests. The applicant wants to create an estate lot to provide a better means to maintain the open space rather than leaving the property as pasture.

Cory Ritz pointed out that the area of the building envelope would have to be accessed by first crossing the wetlands and that the drainage from the property could impact surrounding lots. He also reiterated that the property owners paid a premium to be near open space. **David Peterson** stated that there is a channel behind Mr. Olsen's property that qualifies as an acre of open space which reduced the requirement of the regional park to be 11 acres down to ten. **David Peterson**

outlined that there are two options before the City Council; either to approve or deny with related findings.

Brett Anderson stated that the developer went bankrupt before putting in a promised park. This left a plat with no plans for development. The HOA could not come to a consensus around what to do with the land and so the residents approached the city about the TDR. **David Peterson** shared that one resident is citing the process used by the city (requiring 75% of owners to be on board) on that TDR as a reason to deny Mr. Olsen's petition, but the process is different because the previous TDR was related to property owned by the HOA, or all 35 homeowners, where the plat requesting amendment before the Council now has a single property owner. **Brett Anderson** posed a policy question and wondered if a TDR should be considered 10 or 15 years after the fact or if it should have some contemporaneousness to the development to avoid this type of conflict with property owners.

Mayor Jim Talbot suggested that the Council Members set aside the issue of the TDR and focus on the open space for which homeowners paid a premium. It was further affirmed that surrounding property owners should not dump grass clippings on Mr. Olsen's property and be mindful of trash.

REGULAR SESSION

Present: Mayor Jim Talbot; Council Members Doug Anderson, Cory Ritz, John Bilton, Brigham Mellor, Brett Anderson; Assistant City Manager Keith Johnson, City Development Director David Petersen, City Planner Eric Anderson, City Recorder Holly Gadd, and Recording Secretary Tarra McFadden

Excused: City Manager Dave Millheim

Roll Call (Opening Comments/Invocation/Pledge of Allegiance)

The invocation was offered by **Council Member Cory Ritz** and the Pledge of Allegiance was led by **Allen Larsen** of Boy Scout Troop 7418.

OLD BUSINESS:

General Plan Amendment Request for Hughes Property

David Peterson provided a review of the matter as discussed in the Work Session with the three possible motions set forth in the packet. The Planning Commission recommended a denial of the General Plan amendment request findings 1-3, and noted that there was not a compelling enough reason to amend the DR line and that without an in-depth study of the area. **David Peterson** explained that an option to table the amendment would allow for a study of the wetlands, storm water management and the FEMA flood plain. Reasons for approval relate to sanitary sewer being available to the site, the property is characterized by only some of the factors set forth on the general plan, a flood plain amendment could be obtained and the applicant could verify the non-existence of wetlands.

Chase Freebairn, 978 East Woodoak Lane, Salt Lake City, addressed the Council, representing Ivory Development. He noted that the property could be developed as six 5-acre lots or 34 half-acre lots which is consistent with the nearby Farmington Ranches development. The plan submitted includes nine acres of open space on either end of the development which would provide a buffer from potential highway, flood plain and the new 4218 line. The applicant is willing to work with FEMA on an amendment to mitigate any wetlands or flood plain concerns on the property. Subdivision plans would not allow basements or subgrade living space. **Chase Freebairn** stated that the proposed route of the West Davis Corridor would not touch the planned subdivision. The applicant recognizes the Council's concerns regarding the setting of precedent, but **Chase Freebairn** argued that the applicant is not asking for the DR line to be changed for all of the city, rather only as it relates to the Hughes Property.

Council Member **John Bilton** stated that the City is faced with a significant policy issue and although he is not opposed to the specific development in question, the Council needs to understand that the decisions based on the 4218 line have served an important purpose for West and Southwest Farmington. He voiced that the policy question and unintended consequence outweigh the reasons for approval and he recommended denying the application based on reasons outlined by the Planning Commission. **John Bilton** suggested that staff be instructed to complete some of the items proposed in option B. of the staff report such as answering questions around the 4218 line and where the updated DR line should be. Council needs to understand existing DR line, buffers, transitions, waterfowl management component, water management, West Davis Corridor and what the flood plain means for development moving forward. **John Bilton** specified that staff should have this work completed and presented to the Council in 18 months.

Council Member **Brigham Mellor** expressed that his reasons for denial are not any problems with density or the location of the preferred alignment of the West Davis Corridor, but that the Council should go through a process of establishing a new DR line with further guidance from staff and the Planning Commission to have clarity around the issue when the applicant or the UDOT record of decision comes before the Council.

Council Member **Doug Anderson** expressed concern with the housing density of the proposal and concerns about the flood plain. He indicated his inclination to deny the amendment.

Council Member **Cory Ritz** acknowledged that the applicant is only asking for a decision on the Hughes Property, but the Council is not ready to make a decision about the DR line that would impact other development and argued that a de facto DR line may be established with the Record of Decision for the West Davis Corridor.

Council Member **Brett Anderson** argued that DR line was established because it captured factors related to a do not build area and although the 4218 line has been found to have been inaccurately determined, the factors outlined in findings 1. a-h. **Brett Anderson** concluded the new DR line needs to be studied before the general plan is changed.

Motion:

Doug Anderson moved that the City Council follow the recommendation of the Planning Commission and deny the General Plan amendment request which would change the designation on the General Land Use Plan map from DR to RRD related to the 31.79 acres of property located at approximately 600 South 1525 West. Further, to instruct staff to identify a development restriction line and present the findings to the City Council.

Cory Ritz seconded the motion which was approved unanimously.

Findings for Denial

1. After a thorough review of the General Plan on November 17, 2016, the Planning Commission identified several policies, goals, and objectives set forth in the text that (as part of their recommendation) provide and justify the basis for the DR designation as shown on the General Land Use Plan map (see background information and attached matrix/maps), [note: the language of the text of the General Plan supersedes the map]. As per the recommendation of the Commission, General Plan goals and objective that suggest that the DR designation should remain for the Flat Rock property include, but are not limited, to the following:
 - a. Meadows/riparian areas. A water course which represents from time to time combined discharges from Shepard Creek, Spring Creek, and other sources flows along part of the northern boundary of the property from east to west before traversing directly across the property from north to south in a southwesterly direction (see attached map).
 - b. Grasslands. The site is characterized by grass lands.
 - c. Streams/Stream Channels & Corridors. See finding 1.a. above.
 - d. Green Space. Presently, green space exists on site.
 - e. Farmland. Although it appears active farming is not occurring on the property at this time, such a use is available for the site. Active farms exist in the area.
 - f. Greenbelt. See findings 1d. and 1e. above.
 - g. Flood plain. Approximately half of the developable portion of the property is located in the FEMA flood plain.
 - h. Wetlands. Maps prepared in part by CRS several years ago show wetlands exist on site.
2. It appears that Farmington, and other Cities in Davis County, used incorrect datum points in determining elevation lines. This notwithstanding, the City has given greater deference in the past to other non-topography related criteria set forth in its General Plan in keeping DR designations and has denied requests by owners who have asked that the City consider amending this designation for the sole reason of changing the elevation of the ground by simply bringing in fill dirt to change the grade.
3. A decision to change the DR designation for the subject property for the singular purpose that it is no longer below the 4218 line may set a negative precedence/policy where the other 22 parcels affected thereby (as illustrated on the attached map) may also be designated in the future to RRD regardless of the quantity and quality of meadows/riparian areas, grasslands, tree stands, streams, stream channels & corridors,

wildlife and/or habitat, green space, berms, farmland, green belt, trails, flood plain, wetlands, and storm drainage, transportation, culinary water, and sanitary sewer constraints related to these properties.

PUBLIC HEARINGS:

Candland Olsen Plat Amendment Request—Farmington Creek Estates Phase III

David Peterson presented the staff report regarding the amendment request. The Farmington Creek Estates Phase III is comprised of 35 building lots and a portion of open space owned by Candland Olsen. The property owner submitted a petition to the city requesting that the parcel be designated as a building lot. There are wetlands present on the open space, a stream channel and a drainage easement that encompasses the entire lot. **David Peterson** outlined the two possible motions before the Council. The first, to approve the petition with some conditions including the applicant preparing an amended plat which reflects a smaller storm water easement creating a building envelope limited to one future single family dwelling and provide the City the funds necessary for one TDR as per City ordinance, additionally maintaining compliance with the rules and regulations of the US Army Corp of Engineers related to the development of the lot. The second option is to deny the petition because the increased density for the PUD was predicated in part by the set aside of open space now in Parcel III, the owners of the PUD invested in their respective property knowing that the space was to remain open and the City Council does not find good cause to amend the plat.

The Applicant, **Candland Olsen**, 776 Woodmoor Circle, Bountiful Utah, stated that the Parcel III was not part of Farmington Creek Estates and so development should be dealt with through the City not with the homeowners. **Candland Olsen** said that when he noticed a home being built on the previously dedicated open space he inquired of the City and was told about the TDR process that was pursued by the HOA. He noted that his open space has been used by residents to dump trash and lawn clippings as well as excess construction material. **Candland Olsen** stated that horses he kept on the property were mistreated by area children throwing rocks. **Candland Olsen** argued that it would be beneficial to all for an estate lot to be created on the site so that a resident could maintain the property. **Candland Olsen** is willing to work with the Army Corps of Engineers and the City to resolve any drainage or wetland concerns. He feels that this does not change neighborhood density a great deal as he is only asking to have one building lot. **Candland Olsen** expressed frustration at being maligned by neighbors as he has worked to improve his property and seek a TDR as a possible resolution.

Brett Anderson indicated that as he is an owner of one of the 35 lots in Farmington Creek Estates Phase III he would be recusing himself from the discussions and voting on the matter.

Mayor Talbot opened the Public Hearing at 7:50 p.m. and reminded residents that they have a limit of three minutes for their comments, and should be mindful not to duplicate statements made by other residents.

Scott Behunin, 846 south Country Lane, Farmington, asked for information about whether the TDR process bypasses planning commission. **David Peterson** clarified that if the City Council

decides to approve the TDR then the issue will be addressed by the Planning Commission. **Scott Behunin** is opposed to any development of the property in question and noted that he invested in his current property in part because he was told that the space behind his property would remain open space. He expressed concerns about the flood plain, drainage issues and the dwindling open space in Farmington. He is concerned about property values and affirmed his opposition to the plat amendment request.

Jennifer Greenhalgh, 741 Country Lane, Farmington, voiced opposition to the plat development as she is concerned about water problems on the lot; retaining walls have had to be built to mitigate existing issues.

Jon Shurtliff, 891 Country Lane, Farmington, noted that a similar attempt was made three or four years ago to build on the plot in question and residents opposed at the time. Building on the lot adds density and homeowners paid a premium to allow only 35 houses in the area and lots abutting open space. For the City Council to approve the building lot would damage the original intent of the subdivision. **Jon Shurtliff** further expressed concern about water issues on the lot and that Fieldstone subdivision residents were not include in the notification process about the plat amendment request.

Darren Kimoto, 802 Country Lane, Farmington, indicated that he had worked with City planners to amend his own lot with additional land purchased from **Candland Olsen**. The City would not allow for his property line to go straight back, but required that it be angled due to density within the PUD. **Darren Kimoto** questioned whether the proposed building lot similarly impacts density and should not be approved. **Darren Kimoto** noted that he specifically purchased his lot because of the little stream behind property that empties into the open space; he expressed concern about how an additional building lot would impact drainage. **Darren Kimoto** indicated that he wants the area to look nice and is not aware of trash on **Candland Olsen's** property but described issues with barbed wire from fencing littering the property.

Peter Miller, 906 Country Lane, Farmington, stated that when he purchased his property in 2007 he was told the open space could not been developed and he paid a premium for his lot. **Peter Miller** argued that homeowners should not be punished for a bad business deal that left **Candland Olsen** with the property as part of the easement. **Peter Miller** argued that the City profiting from the TDR at the expense of homeowners "looks really bad." He refuted **Candland Olsen's** claim that horses were mistreated on the property and denied that horses have ever been on the property since 2007. **Peter Miller** stated that grass clippings have been dumped along the fence line as a way to keep weeds from encroaching on Miller's property from **Candland Olsen's** property. He affirmed his opposition to the plat amendment request.

Trevor Farnes, 924 South Country Lane, Farmington, said that **Candland Olsen** spoke with him and his wife about recouping losses from a bad business deal by seeking the TDR option from the City. He expressed opposition to the plat amendment request and stated that he would expect City officials to listen to residents and respect that lot owners bought in to the area desiring open space. **Trevor Farnes** expressed concerns with old pipes, barbed wire, old trucks

and animals being left in trailers for three to four days; the property owner is not maintaining the property.

Nick Neilson, 843 Snowberry Lane, Farmington, agreed with voiced opposition and drainage concerns. **Nick Neilson** purchased the lot at a premium for the open space. **Nick Neilson** noted that he added a walk out basement to his property and were required to add a 50 gallon water barrel as part of construction; neighbors have sump pumps but the Army Corps of Engineers informed him that sumps would not be needed on his property as planned.

Jeremy Johnson, 779 South Country Lane, Farmington, built on the lot that Farmington processed through the TDR. He expressed concern regarding the building on the lot in question as it would change the makeup of the open space and would change the feel of the neighborhood.

Ben Barrus, 872 Country Lane, described how the TDR process worked with the lot that Jeremy Johnson now owns. The developer promised a park, but did not complete it so the HOA sought a remedy by approaching the State, County and City with the property. Working with the City, the HOA agreed to the TDR process which gave a portion of land to homeowners on the east side of the development and some land to the City. The open space and park requirement was met with the regional park and new soccer park. **Ben Barrus** expressed frustration that the TDR before the Council did not go through the same public process with 75% of homeowners in agreement and property deeded to Farmington City before the issue was brought before the Council. **Ben Barrus** stated opposition for the plat amendment arguing that it would represent a broken promise from the City and developer to leave the space open. **Ben Barrus** described what he called “legalized extortion” as a process where the City demands open space and then the City benefits financially from a TDR and cautioned the Council to use this authority carefully now and in the future. **Ben Barrus** asked that this issue not come up again before the Council.

Mayor Jim Talbot closed the public hearing at 8:21 p.m. and opened the time for City Council discussion.

John Bilton asked staff to clarify whether the property in question is part of Farmington Creek Estates Phase III. Farmington Creek Estates Phase III. **David Peterson** confirmed that **Candland Olsen**’s property is part of the Phase III plat. **David Peterson** also explained that affected property owners were noticed properly according to ordinance and because it is a plat amendment only those 35 property owners are required to receive notice. **Brigham Mellor** provided information to impacted residents that this TDR process was handled differently because it was one property owner, rather than 35 owners as part of an HOA.

Brigham Mellor noted that many of the concerns raised by residents can be addressed through code enforcement and being a good adjacent property owner. He also suggested that the property in questions is always susceptible to a development application. **Brigham Mellor** expressed support for maintaining the open space and denying the applicants plat amendment. **Doug Anderson** also expressed support for leaving the open space as is.

David Peterson noted that **Candland Olsen** could have a conservation easement recorded over top of the property as an option and indicated that in discussions with **Candland Olsen** he was notified that neighbors had filed protests against the plat amendment.

Cory Ritz stated that **Candland Olsen** has been honorable and upfront and Ritz has been bothered to hear negative comments regarding his conduct. He understands the value of an onsite resident and care taker concept, but is concerned about the drainage issues that would result.

Cory Ritz acknowledged that homeowners paid a premium for the open space near their lots, and does not feel that the City should use the TDR process in this instance. He noted that he is against the plat amendment.

Mayor Jim Talbot said that the TDR process is a good tool that may be used responsibly by the City to maintain open space as appropriate to changing development conditions.

Motion:

Cory Ritz moved that the City Council deny the petition to amend the Farmington Creek Estates Phase III Planned Unit Development First Amended Plat.

John Bilton seconded the motion which was approved unanimously.

Reasons for Denial:

- i. Increased density for the PUD was predicated in part by the set aside of open space now in Parcel III;
- ii. Owners in the PUD invested in their respective property knowing that the abutting Parcel III was to remain as open space within the same subdivision plat.
- iii. The City Council does not find good cause to amend the plat.

NEW BUSINESS:

Residences at Farmington Hills Final PUD Master Plan—Elite Craft Homes

Associate City Planner **Eric Anderson** provided a brief summary from the staff report noting that the Planning Commission approved the Final Plat and recommended that the City Council approve the Final PUD Master Plan for the Residences at Farmington Hills Subdivision. The applicant is proposing to do a shared driveway for all three lots, which requires a PUD overlay. The Planning Commission recommended that the final PUD master plan be approved because it is consistent and conforms to the approved preliminary PUD master plan.

Motion:

John Bilton moved that the City Council approve the Final PUD Master Plan subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The developer must purchase property now owned by the City within the proposed development prior to recordation;

2. The applicant shall record a reciprocal access easement over the shared driveway prior to or concurrent with recordation of the final plat.

Doug Anderson seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed final PUD master plan meets the requirements of the subdivision and zoning ordinance.
2. The anticipated trail rights-of-way meet the 10% open space requirement for the PUD, in that only a small area of the project near 400 North will have the PUD overlay, and the developer is not seeking a bonus of lots over and above the lots allowed by the yield plan.
3. The primary responsibility of this small PUD is to maintain the common drive for lots near what is now the east end of 400 North Street.
4. The applicant has provided all of the requirements of Section 11-30-105 as part of final plat and the related improvement drawings.

Property Trade for Property Located at 100 North 600 East Related to Farmington Hills Subdivision

Jerry Preston, 177 North Main Street, Farmington asked for clarification about paving the trailhead parking lot. **David Peterson** clarified that for Mr. Preston to receive a credit of \$18,645 towards his purchase price the trailhead parking lot will need to be paved.

John Bilton move to approve recommendations 1-5 as stated. Doug Anderson seconded the motion which was approved unanimously.

Recommendations

1. Per the attached exhibits, declare .998 of an acre (43,486 s. f.) of city property surplus which are portions of city parcels in the Residences at Farmington Hills and certify these parcels have no identified public purpose.
2. Approve the sale of these parcels to Mr. Jerry Preston for a total of \$41,916 to be paid to Farmington City before any construction may take place.
3. Per the attached exhibit, accept the parcels into City ownership which are portions of parcels B and C totaling 63,240 square feet for expansion of City water tank site (parcel B) and trailhead parking lot (parcel C).
4. Per the attached exhibits, accept into City ownership the donation of trail easements totaling 15,557 square feet.
5. Approve Mr. Preston receive a credit of \$18,645 towards his purchase price in #2 above for the purposes of providing road base and asphalt for 5,650 square feet in the trailhead parking lot on parcel C. Such paving will be completed prior to any building permits being issued for homes in the subdivision.

SUMMARY ACTION:

1. **Animal Control Agreement with Davis County**

2. **Farmington Hills Water Tank Engineering Design**
3. **Farmington Water Master Plan Update**
4. **Approval of Minutes from February 7, 2017**

Motion:

Brett Anderson moved, with a second from **Cory Ritz**, to approve summary action items 1 through 4 as contained in the staff report.

The motion was approved unanimously.

DISCUSSION ITEMS:

Update of Demolition Ordinance

David Peterson informed the Council that the ordinance indicates that if one wants to demolish a structure, one is required to have a building plan in hand before and the city may require a performance bond. If the structure is unsafe then the City Engineer can override. **David Peterson** mentioned that after touring a property which was proposed for demolishment that he expressed it did not warrant demolishing the home. Further discussions with Andre Meacham and Alan Tucker indicated that David Freed is interested in creating housing for Lagoon staff on the site. Dave Millheim asked that **David Peterson** relay this information to the Council. Council members expressed support for the staff enforcing the Demolition Ordinance as written.

GOVERNING BODY REPORTS:

City Manager Report

1. **Fire Monthly Activity Report for January**
2. **Building Activity Report for January**
3. **Spring Clean-up April 22nd**

Keith Johnson referred to the City Manager Reports presented in the packet and solicited the City Council for Spring Clean-up ideas. Council members recommended the Lagoon trail and the streams, creeks and related runoff areas.

Mayor Talbot & City Council Reports

Councilmember Doug Anderson

Doug Anderson indicated that the City Youth Council is well organized and engaged and mentioned a retreat planned for March 9th at 6pm.

Councilmember Cory Ritz

Nothing to report.

Councilmember John Bilton

John Bilton reported that the Preservation Committee is functioning well.

Councilmember Brett Anderson

Brett Anderson will be meeting with the Historic Committee on Thursday, February 23rd.

Councilmember Brigham Mellor

Brigham Mellor mentioned the upcoming Utah League of Cities and Towns Midyear Convention April 5-7 in St. George.

Mayor Jim Talbot

Mayor Jim Talbot noted that he will be gone for Council meetings scheduled for March 7 and April 4 and asked that **John Bilton** conduct those meetings. **Mayor Jim Talbot** mentioned a meeting with city managers regarding the establishment of a Fire district. The next steps will be for city managers and fire chiefs to meet and continue the discussion.


CLOSED SESSION

Motion:

At 9:26 p.m., **Brett Anderson** made a motion to go into a closed meeting for purpose of land acquisition. **Brigham Mellor** seconded the motion which was unanimously approved.

Sworn Statement

I, **Jim Talbot**, Mayor of Farmington City, do hereby affirm that the items discussed in the closed meeting were as stated in the motion to go into closed session and that no other business was conducted while the Council was so convened in a closed meeting.



Jim Talbot, Mayor

Motion:

At 9:49 p.m., a motion to reconvene into an open meeting was made by **Brigham Mellor**. The motion was seconded by **John Bilton** which was unanimously approved.

ADJOURNMENT

Motion:

At 9:49 p.m. **Cory Ritz** moved to adjourn with a second from **Doug Anderson**. The motion was approved unanimously.


A handwritten signature in blue ink, reading "Holly Gadd", is written over a horizontal line.

Holly Gadd, City Recorder

Posted 03/08/2017